

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

HOUSE OF PROVIDENCE, et al.,

Plaintiffs,

Civil Action No. 19-CV-13424

vs.

HON. BERNARD A. FRIEDMAN

BRUCE MEYERS, et al.,

Defendants.

**OPINION AND ORDER DENYING PLAINTIFFS' MOTION FOR SUMMARY
JUDGMENT ON THE WARFIELD DEFENDANTS' COUNTER-COMPLAINT**

This matter is presently before the Court on plaintiffs' motion for summary judgment on the Warfield defendants' counter-complaint [docket entry 146]. Response and reply briefs have been filed. Pursuant to E.D. Mich. LR 7.1(f)(2), the Court shall decide this motion without a hearing.

In their counter-complaint, the Warfields assert claims for defamation per se and invasion of privacy. Plaintiffs seek summary judgment on these claims on the grounds that the statements in question are privileged and/or true. Defendants, not surprisingly, take the opposite view.

While "a party may file a motion for summary judgment at any time until 30 days after the close of all discovery," Fed. R. Civ. P. 56(b), ordinarily it is improper to grant such a motion before all parties have had "a full opportunity to conduct discovery." *Bunche v. United States*, No. 17-6190, 2018 WL 4959029, at *2 (6th Cir. June 20, 2018) (citing *Ball v. Union Carbide Corp.*, 385 F.3d 713, 719-20 (6th Cir. 2004)). As no discovery has been conducted in this case, plaintiffs' motion for summary judgment is premature. Accordingly,

IT IS ORDERED that plaintiffs' motion for summary judgment on the Warfield defendants' counter-complaint is denied.

Dated: July 17, 2020
Detroit, Michigan

s/Bernard A. Friedman
BERNARD A. FRIEDMAN
SENIOR UNITED STATES DISTRICT JUDGE